

Notice of Allowability

Application No.

10/630,103

Examiner

Matsuichiro Shimizu

Applicant(s)

CHUEY, MARK D.

Art Unit

2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 6/31/03.
2. ☒ The allowed claim(s) is/are 1-42.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

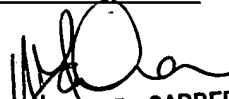
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892) ✓
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08), ✓
Paper No./Mail Date 2006/05/18/06
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☒ Other See Continuation Sheet.


WENDY R. GARBER
SUPERVISORY PATENT EXAMINER
COMMERCIAL CENTER 2600
Part of Paper No./Mail Date 20061002

Continuation of Attachment(s) 9. Other: item 3

continuation:12/16/04;2/10/04;1/12/04;1/21/04;10/12/04;12/28/05;4/1/04/2/22/05;3/6/06;3/13/06;6/23/06.

Allowable Subject Matter

Regarding claim 1–12, the prior arts fail to teach or fairly suggest a new wireless radio frequency transmitter having predetermined transmitter characteristics, at least one predetermined transmitter characteristic not compatible with the radio receiver; and a radio relay operative to (a) learn the receiver characteristics from one of the at least one existing transmitter, (b) learn at least one transmitter characteristic from the new transmitter, (c) receive an appliance radio frequency activation command from the new transmitter, receive an appliance radio frequency activation command exhibiting transmitter characteristics, and transmit a new radio frequency activation command based on the received appliance activation command, the new appliance activation command having the receiver characteristics.

Regarding claim 13–29, the prior arts fail to teach or fairly suggest transmitting the activation request to the appliance with a radio frequency request to the appliance with a radio frequency signal based on the first set of transmission characteristics.

Regarding claim 30–42, the prior arts fail to teach or fairly suggest a radio relay comprising: at least one antenna for receiving and transmitting wireless radio signals; a receiver in communication with the at least one antenna; a transmitter in communication with the at least one antenna; and control logic in communication with the receiver and the transmitter, the

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control logic operative to (a) learn the receiver characteristics from one of the at least one existing transmitter, (b) learn at least one transmitter characteristic from the new transmitter based on wireless signals received from the new transmitter, the at least one transmitter characteristic different from any corresponding receiver characteristic, (c) receive an appliance radio frequency activation command from the new transmitter, receive an appliance radio frequency activation command exhibiting transmitter characteristics, and (d) transmit a new radio frequency activation command based on the received appliance activation command, the new appliance activation command having the receiver characteristics.


Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matsuichiro Shimizu whose telephone number is 571-272-3066. The examiner can normally be reached on Monday through Friday from 8:00 AM to 4:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber, can be reached on 571-272-7308. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3068.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703-305-8576).

Matsuichiro Shimizu

October 2, 2006



WENDY R. GARBER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600